

## **REMARKS**

The claims are 1 and 3-5.

In this regard, the Official Action summary states that the claims are 1-4 and that claim 4 has been allowed.

However, in the body of the Official Action, claim 4 has been rejected.

Further, claim 5 has not been treated.

It is assumed that claim 5 rather than claim 4 has been allowed. In any event, since claim 5 has not been treated by the Official Action, please advise as to the status of this claim.

Claims 1, 3 and 4 have been rejected under 35 U.S.C. §102(b) as being anticipated by US 6,117,574.

Claims 1 and 3 have been rejected under 35 U.S.C. §102(b) as being anticipated by US 4,374,037.

These rejections are moot since they have not been applied against claim 2 which has now been incorporated in claim 1.

Claims 1, 2 and 4 have been rejected under 35 U.S.C. §102(b) as being anticipated by US 2,541,384 (Rothschild).

This rejection is respectfully traversed.

While the disclosure in Rothschild is directed solely to a zinc sulfide luminophosphor with copper as the activator atom, the essential requirement of the present claims is that the chemical composition of the inventive material is a composite consisting of a combination of two metal chalcogenides,  $M^1A^1$  and  $M^2A^2$ , which must differ each from the other (Claim 1).

In the absence of any suggestion that the activator atom Cu forms a chalcogenide, the reference does not anticipate the binary composition of Claim 1.

Furthermore, since Claim 1 now includes the subject matter of Claim 2, the crystallographic structure of the inventive composition must be a combination of two different crystalline structures including, one, a wurtzite structure and, the other, a zincblende structure. Needless to say, Rothschild is absolutely silent and unsuggestive of such a composite crystallographic structure.


Accordingly, the rejection on Rothschild is untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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February 21, 2007